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10 Attorneys for Defendant GIUSEPPE PENZATO

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GIUSEPPE PENZATO and  
KESIA PENZATO,

Defendant.

CASE NO. CR-12-0089 EMC (EDL)

**STIPULATION AND [PROPOSED]  
ORDER APPROVING DEFENDANTS'  
TRAVEL TO ORANGE COUNTY  
BETWEEN MAY 24, 2013 AND  
MAY 27, 2013**

**STIPULATION**

On May 22, 2013, this Court sentenced defendants Giuseppe and Kesia Penzato to 5-year terms of probation. The Court further directed the defendants to abide by the standard conditions of probation that have been adopted by this Court. One such condition is that a defendant "shall not leave the judicial district without permission of the court or probation officer."

As undersigned counsel noted at the sentencing hearing, Mr. and Mrs. Penzato have plans to travel with their children to visit family in the Los Angeles area over the Memorial Day holiday. More specifically, the Penzatos wish to drive to Laguna Beach, in Orange County, on

1 Friday, May 24, and return on Monday, May 27. These plans were made several weeks ago, well  
2 before the sentencing hearing was continued to May 22.

Immediately following imposition of sentence, the defendants self-reported to the Probation Office to advise the duty officer that they had been placed on probation. Upon informing the duty officer<sup>1</sup> of their travel plans, the duty officer advised defendants (and undersigned defense counsel) that a court order authorizing the travel would be necessary because of the immediacy of the Penzatos' planned departure. The duty officer presented Mr. and Mrs. Penzato with forms to complete concerning their travel plans and graciously offered to process the forms on an expedited basis if and when a court order was issued.

10 As stated on the record at the sentencing hearing, the government does not oppose the  
11 proposed travel to and from Orange County. Accordingly, the parties hereby agree and stipulate  
12 that Mr. and Mrs. Penzato should be permitted to travel from the Northern District of California to  
13 the Central District of California – specifically, to Orange County – between May 24, 2013 and  
14 May 27, 2013. The parties further agree and stipulate that Mr. and Mrs. Penzato shall provide all  
15 information requested by Probation concerning their itinerary and travel plans and shall not leave  
16 the Northern District until authorized to do so by the Probation Office.

## IT IS SO STIPULATED.

DATED: May 22, 2013

*/s/ Josh Cohen*

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NANCI CLARENCE

JOSH COHEN

Attorneys for GIUSEPPE PENZATO

<sup>26</sup>      <sup>1</sup> The duty officer will not be the officer assigned to supervise the defendants on a  
<sup>27</sup> continuing basis. A permanent officer will be assigned once the Judgment is executed.

1 DATED: May 22, 2013

2 */s/ Gail Shifman*

3 GAIL SHIFMAN

4 Attorney for KESIA PENZATO

5 DATED: May 22, 2013

6 */s/ Owen Martikan*

7 OWEN MARTIKAN

8 Assistant United States Attorney

9 **ORDER**

10 By stipulation of the parties, and for good cause shown, it is hereby ordered that  
11 defendants Giuseppe Penzato and Kesia Penzato shall be permitted to travel from the Northern  
12 District of California to the Central District of California – specifically, to Orange County –  
13 between May 24, 2013 and May 27, 2013. It is further ordered that Mr. and Mrs. Penzato shall  
14 provide all information requested by the Probation Office concerning their itinerary and travel  
15 plans, and shall not leave the Northern District until authorized to do so by the Probation Office.

16 IT IS SO ORDERED.

17 DATED: 5/23, 2013

